

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT  
District of New Jersey**

In Re: Maria Imelda Cardona

Case No.: 16-33716

Judge: JKS

Debtor(s)

**CHAPTER 13 PLAN AND MOTIONS - AMENDED**

☐ Original

☒ Modified/Notice Required

Date: September 5,  
2019

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☒ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney RLL Initial Debtor: MIC Initial Co-Debtor \_\_\_\_\_

### Part 1: Payment and Length of Plan

- a. The debtor shall pay 212.05 Monthly\* to the Chapter 13 Trustee, starting on January 1, 2017 for approximately 36 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future Earnings
  - ☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
- ☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_
  - ☐ Refinance of real property:  
Description:  
Proposed date for completion: \_\_\_\_\_
  - ☐ Loan modification with respect to mortgage encumbering property:  
Description:  
Proposed date for completion: \_\_\_\_\_
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

### Part 2: Adequate Protection

☒ NONE

- a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).
- b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

### Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Russell L. Low 4745	Attorney Fees	3,000.00

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:  
☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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#### Part 4: Secured Claims

##### a. Curing Default and Maintaining Payments on Principal Residence: ■ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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##### b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ■ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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##### c. Secured claims excluded from 11 U.S.C. 506: ■ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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##### d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ■ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-					
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan ☐ NONE**

The following secured claims are unaffected by the Plan:

Creditor  
BAYVIEW FINANCIAL LOAN  
SPS

**g. Secured Claims to be Paid in Full Through the Plan ☒ NONE**

Creditor	Collateral	Total Amount to be Paid through the Plan

**Part 5: Unsecured Claims ☐ NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

☐ Not less than \$\_\_\_\_\_ to be distributed *pro rata*

☐ Not less than \_\_\_\_\_ percent

☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be**

filed with the Clerk of Court when the plan and transmittal notice are served.

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ■ NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ■ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ■ NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

**d. Post-Petition Claims**

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification** ☒ **NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: July 19, 2018.

Explain below **why** the plan is being modified:

The Plan is being modified because the debtor has completed a loan modification for her mortgage with Select Portfolio Servicing for the property at 165 Hope Ave Passaic, NJ 07055.

Explain below **how** the plan is being modified:

The Plan is being modified to treat Select Portfolio Servicing claim as unaffected because a loan modification has been completed.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

**Part 10 : Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☒ Explain here:

\*This plan is a step plan or has lumpsum payments as follows: \$212.05 per month for 19 months, then \$274.00 per month for 17 months

Any non-standard provisions placed elsewhere in this plan are ineffective.

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: September 5, 2019

/s/ Maria Imelda Cardona

Maria Imelda Cardona

Debtor

Date:

Joint Debtor

Date: September 5, 2019

/s/ Russell L. Low

Russell L. Low 4745

Attorney for the Debtor(s)

**Certificate of Notice Page 7 of 8**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Maria Imelda Cardona  
 Debtor

Case No. 16-33716-JKS  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 35

Date Rcvd: Sep 06, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 08, 2019.

db  
 516546698 +Maria Imelda Cardona, 20 Arthur Street, Clifton, NJ 07011-1414  
 +American Express, American Express Special Research, Po Box 981540,  
 El Paso, TX 79998-1540  
 516546697 +American Express, P.O. Box 981535, El Paso, TX 79998-1535  
 516758433 American Express Bank, FSB, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 516546706 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank Of America, Attention: Recovery Department,  
 4161 Piedmont Pkwy., Greensboro, NC 27410)  
 516546700 +Bank Of America, Po Box 17054, Wilmington, DE 19850-7054  
 516546703 +Bank Of America, Attn: Correspondence Unit/CA6-919-02-41, Po Box 5170,  
 Simi Valley, CA 93062-5170  
 516546724 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Citibank Sd, Na, Attn: Centralized Bankruptcy, Po Box 20507,  
 Kansas City, MO 64195)  
 516546713 +Chase, Chase Card Services, Po Box 15298, Wilmington, DE 19850-5298  
 516546707 +Chase, Po Box 15298, Wilmington, DE 19850-5298  
 516546717 +Chase, Attention: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298  
 516546712 +Chase, Po Box 24696, Columbus, OH 43224-0696  
 516546709 +Chase, Po Box 901039, Fort Worth, TX 76101-2039  
 516546718 +Chase Auto, 600 Community Drive, Manhasset, NY 11030-3802  
 516546719 +Chase Bank, Pob 19120, Houston, TX 77224-9120  
 516546721 +Chase Manhattan Mortgage, Attn: Bankruptcy Dept, 3415 Vision Dr. Mail Code: Oh4-7133,  
 Columbus, OH 43219-6009  
 516546722 +Chase Mht Bk, Attention: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298  
 516546723 +Chase Mtg, 10790 Rancho Berna, San Diego, CA 92127-5705  
 516546728 +El Especialito News Paper, 3711 Hudson Avenue, Union City, NJ 07087-6015  
 516546729 +Emc Mortgage, Attention: Bankruptcy Clerk, Po Box 293150, Lewisville, TX 75029-3150  
 516546731 +Hc Roya, 333 Holtzman Rd, Madison, WI 53713-2109  
 516546733 +Hy Cite Corporation, 333 Holtzman Rd, Madison, WI 53713-2109  
 516612943 +Pinnacle Credit Services, LLC its successors and, assigns as assignee of Chase Bank USA,,  
 N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 516546737 +Wayne Emergency Medical Associates, PO Box 779, Livingston, NJ 07039-0779

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 07 2019 00:15:16 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 07 2019 00:15:12 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 516774626 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Sep 07 2019 00:15:45  
 Bayview Loan Servicing, LLC, 4425 Ponce de Leon Boulevard, 5th Floor,  
 Coral Gables, FL 33146-1837  
 516546727 E-mail/Text: mrdiscen@discover.com Sep 07 2019 00:13:58 Discover Fin, Po Box 15316,  
 Wilmington, DE 19850  
 516546726 +E-mail/Text: mrdiscen@discover.com Sep 07 2019 00:13:58 Discover Fin, Po Box 6103,  
 Carol Stream, IL 60197-6103  
 516546730 +E-mail/PDF: gecsedirecoverycorp.com Sep 07 2019 00:21:25 Gemb/home Design,  
 Attn: Bankruptcy, Po Box 103104, Roswell, GA 30076-9104  
 517970213 +E-mail/Text: jennifer.chacon@spservicing.com Sep 07 2019 00:16:19  
 Grand Avenue Mortgage Loan Trust 2017-RPL1, c/o Select Portfolio Servicing Inc.,  
 P.O. Box 65450, Salt Lake City, UT 84165, Grand Avenue Mortgage Loan Trust 2017-RP,  
 c/o Select Portfolio Servicing Inc. 84165-0450  
 517970212 +E-mail/Text: jennifer.chacon@spservicing.com Sep 07 2019 00:16:19  
 Grand Avenue Mortgage Loan Trust 2017-RPL1, c/o Select Portfolio Servicing Inc.,  
 P.O. Box 65450, Salt Lake City, UT 84165-0450  
 516546732 +E-mail/PDF: gecsedirecoverycorp.com Sep 07 2019 00:21:24 Homedn/gemb, Po Box 981439,  
 El Paso, TX 79998-1439  
 516546735 +E-mail/PDF: resurgentbknofications@resurgent.com Sep 07 2019 00:21:06  
 Pinnacle Credit Service, Po Box 640, Hopkins, MN 55343-0640  
 516784927 E-mail/Text: jennifer.chacon@spservicing.com Sep 07 2019 00:16:19  
 Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250  
 TOTAL: 11

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516546704\* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank Of America, Po Box 982235, El Paso, TX 79998)  
 516546705\* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank Of America, Po Box 982235, El Paso, TX 79998)  
 516546701\* +Bank Of America, Po Box 17054, Wilmington, DE 19850-7054  
 516546725\* ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Citibank Sd, Na, Attn: Centralized Bankruptcy, Po Box 20507,  
 Kansas City, MO 64195)  
 516546716\* +Chase, Po Box 901039, Fort Worth, TX 76101-2039  
 516546708\* +Chase, Po Box 15298, Wilmington, DE 19850-5298

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 35

Date Rcvd: Sep 06, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

516546710\* +Chase, Po Box 15298, Wilmington, DE 19850-5298  
516546711\* +Chase, Po Box 15298, Wilmington, DE 19850-5298  
516546714\* +Chase, Po Box 15298, Wilmington, DE 19850-5298  
516546715\* +Chase, Po Box 15298, Wilmington, DE 19850-5298  
516546720\* +Chase Bank, Po Box 19120, Houston, TX 77224-9120  
516546734\* +Hy Cite Corporation, 333 Holtzman Rd, Madison, WI 53713-2109  
516546702 ##+Bank Of America, Attn: Bankruptcy NC4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012  
516546699 ##+Bank Of America, Attn: Bankruptcy NC4-105-02-77, Po Box 26012, Greensboro, NC 27420-6012  
516546736 ##+Second Round Lp, 4150 Friedrich Lane Suit, Austin, TX 78744-1052

TOTALS: 0, \* 12, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 08, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 5, 2019 at the address(es) listed below:

Alexandra T. Garcia on behalf of Creditor BAYVIEW LOAN SERVICING, LLC NJECFMAIL@mwc-law.com,  
nj-ecfmail@ecf.courtdrive.com  
Celine P. Derkrikorian on behalf of Creditor BAYVIEW LOAN SERVICING, LLC njecfmail@mwc-law.com  
Celine P. Derkrikorian on behalf of Creditor Bayview Loan Servicing, LLC njecfmail@mwc-law.com  
Denise E. Carlon on behalf of Creditor Wilmington Trust, NA, successor trustee to Citibank,  
N.A., as trustee, on behalf of the holders of the Structured Asset Mortgage Investments II Inc.,  
Bear Stearns ALT-A Trust II, Mortgage Pass-Through dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Kevin Gordon McDonald on behalf of Creditor Wilmington Trust, NA, successor trustee to  
Citibank, N.A., as trustee, on behalf of the holders of the Structured Asset Mortgage  
Investments II Inc., Bear Stearns ALT-A Trust II, Mortgage Pass-Through  
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
Kevin Gordon McDonald on behalf of Creditor Grand Avenue Mortgage Loan Trust 2017-RPL1  
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Rebecca Ann Solarz on behalf of Creditor Grand Avenue Mortgage Loan Trust 2017-RPL1  
rsolarz@kmlawgroup.com  
Rebecca Ann Solarz on behalf of Creditor Wilmington Trust, NA, successor trustee to Citibank,  
N.A., as trustee, on behalf of the holders of the Structured Asset Mortgage Investments II Inc.,  
Bear Stearns ALT-A Trust II, Mortgage Pass-Through rsolarz@kmlawgroup.com  
Russell L. Low on behalf of Debtor Maria Imelda Cardona rbear611@aol.com,  
ecf@lowbankruptcy.com;r57808@notify.bestcase.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11